

### REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 11 and 13 through 30 are pending, with Claims 1, 13, and 19 being independent. Claims 12, 31 and 32 have been cancelled without prejudice. Claims 1, 2, 4 through 11, 13 through 20, and 22 through 29 have been amended.

### REQUEST FOR ACKNOWLEDGMENT OF RECEIPT OF CERTIFIED COPIES

The Official Action has not checked Box 12(a)(1) acknowledging receipt of the certified copies of the priority documents, and it is requested that such be done.

### FURTHER REMARKS

Claim 17 was objected to on the grounds that it should depend from Claim 13 rather than Claim 1, which objection is respectfully submitted to have been obviated by the amendment of Claim 17 to depend from Claim 13 as kindly suggested in the Official Action.

Claims 1 through 32 were variously rejected under 35 U.S.C. §§ 102 and 103 over U.S. Patent Appln. Pub. No. 2003/0149988 A1 (Ellis, et al.), taken alone or in combination with U.S. Patent No. 7,096,486 B1 (Ukai, et al.), U.S. Patent Appln. Pub. No. 2003/0067554 A1 (Klarfeld, et al.), and U.S. Patent Appln. Pub. No. 2002/0095676 A1 (Knee, et al.). All rejections are respectfully traversed.

Claims 1 and 19 variously recite, *inter alia*, generating a user profile of the common user of the data receiving apparatus and the external receiving apparatus based on (a) a view history of a broadcast program received by the receiving means (Claim 1) or in the receiving step

(Claim 19) and (b) a history of the viewed program information (of a broadcast program received by the *external* receiving apparatus) input by the input means (Claim 1) or in the input step (Claim 19).

Claim 13 recites, *inter alia*, that the *external* receiving apparatus generates a user profile of the common user of the data receiving apparatus and the external receiving apparatus based on a view history of a broadcast program received by the external receiving apparatus and a history of the viewed program information output by the output means.

However, Applicants respectfully submit that none of Ellis, et al., Ukai, et al., Klarfeld, et al., and Knee, et al., even in the proposed combinations, assuming, *arguendo*, that such could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 1, 13, and 19.

The Official Action relies upon Ellis, et al. for showing, e.g., remote media server 24 and local media server 29, and that the program guide generates a record request that is transmitted to the appropriate remote media server [0142], and that directories may be maintained by server 24 or server 29 and provided to the program guide upon request, etc. However, Applicants respectfully submit that such constitutes neither a description nor a suggestion of at least the above-discussed claimed features as recited, *inter alia*, in Claims 1, 13, and 19.

Applicants respectfully submit that Ukai, et al. discloses, e.g., determining a viewer's view tendency, as well as a view monitoring table (Fig. 4) and a view history table (Fig. 5); Klarfeld, et al. shows, e.g., that the viewer record gives information such as channel change, power on, and power off, and the CDM uses these viewer records to generate the Liking records [1647]; Knee, et al. shows, e.g., use of weight values, and demographic category information.

However, Applicants respectfully submit said documents fail to remedy Ellis, et al.'s deficiencies.

It is further respectfully submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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